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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,189	01/31/2001	Rabindranath Dutta	AUS920000950US1	4498

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EXAMINER

GOLD, AVI M

ART UNIT PAPER NUMBER

2157

DATE MAILED: 05/20/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary

Application No.

09/773,189

Applicant(s)

DUTTA ET AL.

Examiner

Avi Gold

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the application filed January 31, 2001. Claims 1-45 are pending. Claims 1-45 represent an apparatus and methods for filtering content based on accessibility to a user.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 4-9, 11-13, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Levine et al., U.S. Patent No. 6,714,963.

Levine teaches the invention as claimed including a system and method for improving the accessibility of web sites through the use of accessibility descriptors that can be assigned to a web site and/or individual pages of a web site (see abstract).

Regarding claim 1, a method of providing content to a client, comprising:
retrieving the content (col. 4, lines 29-49; Levine discloses retrieving a web page);

performing an evaluation of the content for accessibility by a user (col. 4, lines 29-49; Levine discloses the suitability of a page being accessed); and

providing the content to the client if a result of the evaluation meets an accessibility requirement for the user (col. 4, lines 29-49; Levine discloses a browser only allowing viewing of a page that can be suitably modified).

Regarding claim 2, the method of claim 1, wherein retrieving the content includes performing a search of content providers (col. 3, lines 40-44; Levine discloses groups of web sites being searched).

Regarding claim 4, the method of claim 1, wherein performing an evaluation of the content for accessibility by a user includes determining an accessibility level of the content based on accessibility criteria (col. 4, lines 1-22; Levine discloses descriptors for images).

Regarding claim 5, the method of claim 4, wherein the accessibility criteria are established based on standardized accessibility guidelines (col. 4, lines 1-22; Levine discloses the use of equations for proper image size).

Regarding claim 6, the method of claim 1, wherein performing an evaluation of the content for accessibility by a user includes using an evaluation tool to perform the evaluation (col. 4, lines 1-22).

Regarding claim 7, the method of claim 6, wherein the evaluation tool is Bobby™ (col. 1, lines 36-54; col. 4, lines 50-62; Levine discloses the use of Bobby™).

Regarding claim 8, the method of claim 1, further comprising providing an indication to the client that the content does not meet accessibility requirements if the result of the evaluation is that the content does not meet the accessibility requirement for the user (col. 4, lines 29-49; Levine discloses the browser indicating that a page can not be suitably modified for a user).

Regarding claim 9, the method of claim 1, wherein the accessibility requirement for the user is obtained from a user profile (col. 4, lines 17-33; Levine discloses a set of data on a user's computer that quantifies the user's physical disabilities).

Regarding claim 11, the method of claim 1, wherein the method is implemented on the client (col. 4, lines 29-49; Levine discloses a user's browser assessing the suitability of the page).

Regarding claim 12, the method of claim 1, wherein the content is at least one Web page (col. 4, lines 29-49).

Regarding claim 13, the method of claim 1, further comprising modifying the content such that the content meets the accessibility requirement for the user (col. 4, lines 29-49; Levine discloses a browser modifying the web page).

Regarding claim 15, the method of claim 13, wherein performing the evaluation of the content for accessibility by the user includes logging elements of the content that do not meet accessibility criteria, and wherein modifying the content includes modifying logged elements to meet the accessibility criteria (col. 4, lines 29-49; Levine discloses a browser reporting to the user how to suitably modify a page for viewing).

Claims 16, 17, 19-24, 26-28, 30-32, 34-39, 41-43, and 45 do not teach or define any new limitations above claims 1, 2, 4-9, 11-13, and 15 and therefore are rejected for similar reasons.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 18, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine further in view of Roderick, U.S. Patent No. 6,122,648.

Levine teaches the invention substantially as claimed including a system and method for improving the accessibility of web sites through the use of accessibility descriptors that can be assigned to a web site and/or individual pages of a web site (see abstract).

As to claim 3, Levine teaches the method of claims 1 and 2.

Levine fails to teach the limitation further including the search of content providers being performed using a Web search engine.

However, Roderick teaches a method, apparatus and system for improved content management and delivery (see abstract). Roderick shows evidence of the use of a search engine to search content providers (col. 1, lines 45-56).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Levine in view of Roderick to use a search engine. One would be motivated to do so because a search engine is a common and efficient way to locate information on the Internet.

Claims 18 and 33 do not teach or define any new limitations above claim 3 and therefore are rejected for similar reasons.

5. Claims 10, 25, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine further in view of Kay, U.S. Patent No. 6,272,492.

Levine teaches the invention substantially as claimed including a system and method for improving the accessibility of web sites through the use of accessibility descriptors that can be assigned to a web site and/or individual pages of a web site (see abstract).

As to claim 10, Levine teaches the method of claim 1.

Levine fails to teach the limitation further including the use of a proxy server.

However, Kay teaches a front-end proxy server for Internet web servers (see abstract). Kay teaches the use of a proxy server (col. 2, lines 66-67; col. 3, lines 1-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Levine in view of Kay to use a proxy server. One would be motivated to do so because a proxy server speeds up the process of retrieving content.

Claims 25 and 40 do not teach or define any new limitations above claim 10 and therefore are rejected for similar reasons.

6. Claims 14, 29, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine further in view of Sikorsky et al., U.S. Patent No. 6,684,370.

Levine teaches the invention substantially as claimed including a system and method for improving the accessibility of web sites through the use of accessibility descriptors that can be assigned to a web site and/or individual pages of a web site (see abstract).

As to claim 14, Levine teaches the method of claims 1 and 13.

Levine fails to teach the limitation further including changing values for tags in the content based on one of a rule set and an algorithm.

However, Sikorsky teaches methods, techniques, software and systems for rendering multiple sources of input into a single output (see abstract). Sikorsky teaches the use of HTML documents being changed with the use of an algorithm (col. 2, lines 48-67; col. 3, lines 1-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Levine in view of Sikorsky to use a rule set and an algorithm. One would be motivated to do so because a rule set and an algorithm allow changes to be easily made to a document.

Claims 29 and 44 do not teach or define any new limitations above claims 14 and therefore are rejected for similar reasons.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,324,511 to Kiraly et al.

U.S. Pat. No. 6,476,833 to Moshfeghi.

U.S. Pat. No. 6,725,424 to Schwerdtfeger et al.

U.S. Pat. No. 6,665,642 to Kanevsky et al.

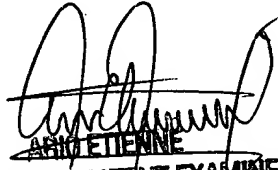
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 703-305-8762. The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold
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